

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 VO-03 DHA-02 ORM-02 CIAE-00 FBIE-00

INSE-00 NSAE-00 PRS-01 PA-01 USIA-06 /028 W

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R 070600Z SEP 76

FM AMEMBASSY SOFIA

TO SECSTATE WASHDC 1713

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E.O. 11652: NA

TAGS: SHUM, PFOR, CGEN, BU (MAREVA, RUMYANA AND YORDANKA)

SUBJECT: PUTATIVE DIVIDED FAMILIES CASE: RUMYANA AND YORDANKA MAREVA)

REF: (A) STATE 209254; (B) SOFIA 1775; (C) STATE 205513;

(D) STATE 209383; (E) SOFIA 1765

1. SUMMARY: MAREVA CASE LOOKS INCREASINGLY LIKE INTRA-FAMILY DISPUTE BETWEEN MAREVS IN U.S. AND ZHELEZOV'S HERE. MAREVS CLEARLY HAVE NOT TOLD WHOLE TRUTH TO DEPT, AND WE MUST PRESUME ZHELEZOV'S NOT TELLING WHOLE TRUTH HERE. IN ANY EVENT, SEEMS CLEAR GOB--WITH REASON--DOES NOT REGARD THIS AS ACTIVE DIVIDED FAMILY CASE. WE SEE NO BASIS FOR REQUESTING INTERVIEW WITH MAREVA CHILDREN AND DOUBT THAT SUCH INTERVIEW WOULD CLARIFY MATTERS. RECOMMEND WE AND DEPT HOLD TO POSITION WE WILL OFFER ALL APPROPRIATE ASSISTANCE AFTER MAREVS AND ZHELEZOV'S HAVE SORTED MATTERS OUT BETWEEN THEMSELVES. END SUMMARY

2. WE HAVE NOW DISCUSSED MAREVA CASE WITH ZHELEZ ZHELEZOV, MRS. MAREV'S BROTHER, WHO CONFIRMS CHILDREN ARE UNDER HIS GUARDIANSHIP. ZHELEZOV STILL WOULD LIKE TO EMIGRATE TO U.S. WITH ENTIRE FAMILY AND HOPES FOR AND EXPECTS HIS SISTER AND BROTHER-IN-LAW'S SPONSORSHIP AND SUPPORT. THERE IS IMPLICIT IN HIS POSITION SOMETHING OF A THREAT THAT HIS FAMILY, INCLUDING MAREVA GIRLS, MUST TRAVEL AS A UNIT OR NOT

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AT ALL, BUT THIS WAS NOT EXPLICITLY STATED.

3. APPEARS THAT FAILURE ON PART OF MAREVS TO SUPPLY CURRENT DOCUMENTS SUCH AS AFFIDAVITS OF SUPPORT, HAS PERMITTED CASE TO BE PLACED IN INACTIVE FILE AS FAR AS GOB IS CONCERNED (SEE NEXT PARA). ZHELEZOV REPORTED LAST PASSPORT APPLICATION WAS FILED TWO YEARS AGO AND WAS REJECTED ORALLY. UNDER BULGARIAN EMIGRATION PROCEDURES, APPLICANT MUST FILE CURRENT AFFIDAVIT OF SUPPORT FROM SPONSOR OVERSEAS, FORMAL PASSPORT/EXIT PERMIT APPLICATION, AND SUPPORTING DOCUMENTATION. AFTER REVIEW, GOB PROVIDES WRITTEN REJECTION OR APPROVAL. ORAL REJECTIONS ARE NOT NORMAL PROCEDURE, BUT IN SOME CASES KNOWN TO EMBASSY HAVE BEEN USED WHEN SPONSORING RELATIVES ARE IN QUESTIONABLE LEGAL POSITION VIS-A-VIS GOB. PRESUMABLY THAT WAS THE CASE WITH LAST APPLICATION TWO YEARS AGO.

4. REJECTION OF REQUEST FOR PASSPORT/EXIT PERMIT MAY BE APPEALED, AND IF SO CASE REMAINS ACTIVE UNTIL APPEAL DECIDED. OTHERWISE APPLICATIONS AUTOMATICALLY LAPSE AFTER SIX MONTHS, AND NEW REQUEST MUST BE FILED. THEREFORE, IF ZHELEZOV HAS CONVEYED ACCURATE INFORMATION, MAREVA CHILDREN HAVE NOT HAD ACTIVE CASE BEFORE BULGARIAN AUTHORITIES FOR LAST YEAR-AND-A-HALF. HIS OWN APPLICATION IS SIMILARLY INACTIVE.

5. NEW APPLICATION REQUIRES CURRENT DOCUMENTS; THAT IS, NEW AFFIDAVIT OF SUPPORT, NEW APPLICATION FORMS, NEW SUPPORTING DOCUMENTS. ZHELEZOV WAS ADVISED TO ASK HIS SISTER TO FILE NEW AFFIDAVIT OF SUPPORT, IN ORDER TO RE-COMMENCE APPLICATION PROCEDURE WITH RESPECT TO RUMYANA AND YORDANKA. WHETHER HE WILL IN FACT BE WILLING TO RE-START APPLICATION PROCEEDINGS WITH RESPECT TO THE TWO GIRLS ONLY REMAINS TO BE SEEN. WE HAVE NOT INFORMED ZHELEZOV OF STATEMENT CONTAINED PARA 2, REF D, THAT MAREVS DO NOT WISH TO SPONSOR ZHELEZOV, HIS WIFE, AND ZHELEZOV'S TWO CHILDREN FOR IMMIGRANT VISAS AND THUS WE MAINTAIN ACTIVE IV FIFTH PREFERENCE CASE FILE.

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6. EMBASSY DOES NOT BELIEVE WE OR MAREVS STAND TO GAIN ANYTHING BY REQUEST TO INTERVIEW MAREVA GIRLS AT THIS TIME. A REQUEST MADE THROUGH FOREIGN MINISTRY WOULD BE ON DUBIOUS GROUND (IT WOULD BE REQUEST FOR AN AMERICAN CONSULAR OFFICER TO INTERVIEW TWO UNDERAGE BULGARIAN CITIZENS ABOUT WHETHER OR NOT THEY WANT TO LEAVE BULGARIA) AND VERY LIKELY WOULD RE-OPEN KHRISTOV CAN OF WORMS. WERE WE, ON THE

OTHER HAND, TO ASK THAT ZHELEZOV TRAVEL FROM VARNNA TO SOFIA WITH THE GIRLS SO THAT WE COULD TALK TO THEM, THIS COULD PRECIPITATE MATTERS UNFAVORABLY AS FAR AS ZHELEZOV-MAREV RELATIONSHIP IS CONCERNED. IN EITHER CASE, WE WOULD HAVE NO WAY OF KNOWING WHETHER OR NOT THE GIRLS HAD BEEN COACHED IN THEIR RESPONSES. WERE WE TO REPORT OFFICIALLY THAT THE GIRLS SAY THEY DON'T WISH TO TRAVEL, OR DO NOT WISH TO TRAVEL WITHOUT THE ZHELEZOV'S, MOST PROBABLE RESULT WOULD BE PRESS CONFERENCE BY MAREV'S IN U.S. CLAIMING USG WAS BEING DUPED BY BULGARIAN AUTHORITIES. ANY NEGATIVE RESPONSE BY MAREVA CHILDREN WOULD ALSO HAVE A HIGHLY ADVERSE IMPACT ON FUTURE CONSIDERATION OF THE CASE BY GOB, POSSIBLY CLOSING OFF FUTURE OPTIONS.

7. RECOMMENDATION: BELIEVE MAREV'S SHOULD BE TOLD EMBASSY AND DEPT WILL PROVIDE ALL APPROPRIATE ASSISTANCE ONCE THEY AND ZHELEZOV'S SORT OUT WHO IS SPONSORING WHOM UNDER WHAT CONDITIONS. ANY OTHER COURSE WILL KEEP US IN THE MIDDLE TAKING FLAK FROM BOTH SIDES. MAREV'S MUST WEIGH CAREFULLY FACT THAT ZHELEZOV IS LEGAL GUARDIAN OF THE GIRLS, AND EFFECT THEIR REFUSAL TO SPONSOR HIM AND HIS FAMILY COULD HAVE ON HIS FURTHER PURSUING CASE. AS WE SEE IT, CASE CANNOT BE PURSUED UNLESS ZHELEZOV AGREES TO FILE NECESSARY FORMS WITH GOB, INCLUDING CURRENT AFFIDAVIT OF SUPPORT FROM MAREV'S.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REFUGEE RESETTLEMENT, POLICIES, DOCUMENTS, DEPENDENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ullricre
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976SOFIA01901
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760337-0860
From: SOFIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760985/aaaacvar.tel
Line Count: 143
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 209254, 76 SOFIA 1775, 76 STATE 205513, 76 STATE 209383, 76 SOFIA 1765
Review Action: RELEASED, APPROVED
Review Authority: ullricre
Review Comment: n/a
Review Content Flags:
Review Date: 08 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 APR 2004 by greeneet>; APPROVED <03 AUG 2004 by ullricre>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PUTATIVE DIVIDED FAMILIES CASE: RUMYANA AND YORDANKA MAREVA)
TAGS: SHUM, PFOR, CGEN, BU, (MAREVA, RUMYANA), (MAREVA, YORDANKA)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006